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17

18 UNITED STATES DISTRICT COURT

19 DISTRICT OF NEVADA

20 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
21 Vera, Luis Javier Vazquez, and Kyle  
Kingsbury on behalf of themselves and all  
22 others similarly situated,

23 Plaintiffs,

24 v.

25 Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,

26 Defendant.  
27

Case No.: 2:15-cv-01045-RFB-(PAL)

**JOINT STATUS REPORT**

1 The parties in the above-captioned matter submit the following interim Joint Status  
2 Report. The parties have reviewed the Court's Order Directing Zuffa, LLC to Produce Certain  
3 Non-Privileged Documents from the FTC Collection (the "Order") (Dkt. No. 272). Pursuant to  
4 the Order, the parties met and conferred on June 7 and 13, 2016.

5 Zuffa has started the review of the documents from the Early Case Assessment archive  
6 ("ECA") for the Ordered Custodians that are search term positive to Zuffa's search terms  
7 pursuant to paragraph 1(a) and 2(a) of the Order. Zuffa is in the process of loading the remaining  
8 documents for the Ordered Custodians and the FTC Ordered Set (as those capitalized terms are  
9 used in the Order). Zuffa anticipates that the loading will be complete by this week, at which  
10 time the de-duplication, narrowing proposals and search terms can be applied. Zuffa expects that  
11 it will substantially complete production by the Court-ordered deadline of September 1, 2016.

12 The parties have met and conferred about several issues regarding the implementation of  
13 the Order including: (a) the applicability of the winnowing and de-duplication protocols in  
14 paragraph 3; (b) the time period for which the agreed upon winnowing proposals for Zuffa's  
15 Legal Custodians should apply to documents belonging to custodians Lawrence Epstein and Kirk  
16 Hendrick that are contained within the FTC Ordered Set; and (c) pursuant to paragraph 4 of the  
17 Order, the application of additional search terms to the FTC Ordered Set documents in addition to  
18 those terms ordered by the Court in paragraphs 2(a) and 2(b).

19 Preliminarily, the parties recognize that certain of the ordered winnowing and de-  
20 duplication proposals may not be applicable to the FTC Ordered Set or that it may not be efficient  
21 to adopt one or more of those protocols. The parties have agreed that if an ordered winnowing or  
22 de-duplication protocol cannot be applied to the FTC Ordered Set or that Zuffa believes it is  
23 inefficient to do so, Zuffa will so notify Plaintiffs and review the resulting FTC Ordered Set  
24 documents for responsiveness and privilege without applying such winnowing or de-duplication  
25 proposals. In addition, Plaintiffs have requested, and Zuffa has investigated, how the ECA was  
26 de-duplicated in 2011. The investigation into the de-duplication process seeks to determine  
27 whether custodial documents for the custodians subject to the Order were attributed solely to  
28

1 custodians whose documents Zuffa is not required to review and produce.

2 At this time, the parties have no disputed issues relating to the application of the Order.  
3 Unless ordered otherwise, the parties will file a Status Report of no more than 10 pages, with no  
4 more than 5 pages allocated to each party, should any disputed issues relating to the application of  
5 the Order arise.

6 Dated: June 21, 2016

BOIES, SCHILLER & FLEXNER LLP

9 By: /s/ Stacey K Grigsby

Stacey K. Grigsby

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Dated: June 21, 2016

Respectfully Submitted,

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**ATTESTATION OF FILER**

The signatories to this document are myself and Michael Dell'Angelo, and I have obtained Mr. Dell'Angelo's concurrence to file this document on his behalf.

Dated: June 21, 2016

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that service of the foregoing **Joint Status Report** was served on June 21, 2016 via the Court's CM/ECF electronic filing system addressed to all parties on the e-service list.

/s/ Suzanne E. Nero

An Employee of Boies, Schiller and Flexner LLP